



January 26, 2016

SENATE BILL No. 366

DIGEST OF SB 366 (Updated January 25, 2016 1:22 pm - DI 55)

Citations Affected: IC 13-21.

Synopsis: Solid waste management districts. Provides that the requirement for each county to have a single-county solid waste management district or be a member of a joint solid waste management district expires July 1, 2017. Provides that after June 30, 2017, the county executive of a county, by adopting an ordinance and a plan, may: (1) dissolve the county's solid waste management district; or (2) withdraw from the joint solid waste management district of which the county is a member and determine that the county will not: (A) be designated as a single-county solid waste management district; or (B) be a member of another joint solid waste management district. Requires the county executive, in the plan it adopts, to provide for the satisfaction of the solid waste management district's legal obligations and for the disposition of the unexpended revenue of the district and the assets of the district not needed to satisfy the legal obligations of the district.

Effective: July 1, 2016.

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January 11, 2016, read first time and referred to Committee on Environmental Affairs.
January 25, 2016, amended, reported favorably — Do Pass.

SB 366—LS 6920/DI 55



January 26, 2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 366

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-21-3-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Except as
3 provided in subsection (b), each county shall, by ordinance of the
4 county executive:
5 (1) join with one (1) or more other counties in establishing a joint
6 solid waste management district that includes the entire area of all
7 the acting counties; or
8 (2) designate itself as a county solid waste management district.
9 **This subsection expires July 1, 2017.**
10 (b) After June 30, 2017, a county may, by ordinance of the
11 county executive:
12 (1) join with one (1) or more other counties in establishing a
13 joint solid waste management district that includes the entire
14 area of all the acting counties; or
15 (2) designate itself as a county solid waste management

SB 366—LS 6920/DI 55



district.

~~(b)~~ (c) Notwithstanding subsection (a)(1), if a county withdraws from a joint solid waste management district under IC 13-21-4, the county executive of the county may adopt an ordinance to join another or establish another joint solid waste management district with one (1) or more other counties:

(1) not earlier than fifteen (15) days; or

(2) not later than forty-five (45) days;

after the date the ordinance is introduced.

~~(c)~~ (d) An ordinance adopted under subsection (a)(1) or ~~(b)~~ (c) must include the approval of an agreement governing the operation of the joint district.

~~(d)~~ (e) If a county fails to comply with this section, the commissioner shall designate the county as a solid waste management district. **This subsection expires July 1, 2017.**

(f) After June 30, 2017, the county executive of a county, by adopting an ordinance and plan, may:

(1) dissolve the county solid waste management district; or

(2) withdraw from a joint solid waste management district under IC 13-21-4 and determine that the county will not:

(A) be designated as a county solid waste management district; or

(B) be a member of another joint solid waste management district.

The plan adopted by the county executive under this subsection must provide for the satisfaction of the solid waste management district's legal obligations and for the disposition of the unexpended revenue of the district and the assets of the district not needed to satisfy the legal obligations of the district.



COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 366, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 366 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 6, Nays 3.

